

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

**THOMAS BAGGETT**

**Plaintiff**

**v.**

**VITAL RECOVERY SERVICES, INC.**

**Defendant**

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**Civil Action No. 1:10-CV-1224**

**(Chief Judge Kane)**

**ORDER**

**IT IS HEREBY ORDERED THAT:**

1. A Scheduling Conference will be conducted by the Court on **September 22, 2010, at 10:00 a.m.** The court prefers to hold this conference by telephone. Plaintiff's counsel shall initiate this telephone conference. The telephone number of the court is 717-221-3990. Counsel should be prepared to address any pending motions at the conference.

2. This conference before this judge will be canceled if the parties elect to proceed before a United States Magistrate Judge. The Magistrate Judge will reschedule the conference upon notification of the case assignment.

3. The primary purpose of this conference will be to establish case management deadlines to enable this action to go forward as effectively as possible. Participation in this conference by counsel or by pro se litigants is mandatory.

4. **Counsel of record must participate in the conference without substitution unless permission for substitution is sought and granted prior to the conference. Requests shall be made at least two business days in advance of the date of the conference. The telephone number to call is (717) 221-3990.**

5. Counsel are advised to comply with Rule 16.3(a) of the Rules of Court for the Middle District of Pennsylvania. Local Rule 16.3 requires lead counsel for each party to meet prior to the case management conference and complete a **"Joint Case Management Plan"** form. The completed form, which is set forth in Appendix A of the local rules, must be filed on or before **September 17, 2010**. Counsel should also be conversant with the district's "Expense and Delay Reduction Plan," adopted on August 19, 1993, as required by the Civil Justice Reform Act of 1990.

6. Counsel shall note that this district has not opted-out of Federal Rule of Civil Procedure 26. The joint case management plan contemplates discovery prior to the Rule 26(f) meeting and is, therefore, deemed to be an exception to the limitation on discovery contained in the first sentence of Rule 26(d). Counsel shall not cease active discovery pending disposition of a motion to dismiss.

7. At the case management conference the captioned action will be placed on one of the following tracks:

a) **Fast Track** - Referring the case to a United States Magistrate Judge for recommendations.

b) **Expedited Track** - Setting a trial date of not more than 240 days from the filing of the complaint.

c) **Standard Track** - Setting a trial date of not more than 15 months from the filing of the complaint.

d) **Complex Track** - Setting a trial date in excess of 15 months but less than 2 years from the filing of the complaint.

8. The parties are advised that once the deadlines have been established extensions of those time period will not be granted, except under exceptional circumstances.

\* Please see our website at: [www.pamd.uscourts.gov](http://www.pamd.uscourts.gov) for general information and forms.

s/ Yvette Kane  
Yvette Kane, Chief Judge  
Middle District of Pennsylvania

Dated: August 18, 2010